

**Exhibit B**

**IN THE STATE COURT OF DEKALB COUNTY  
STATE OF GEORGIA**

BRENDA MATLOCK,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	Civil Action
TRIGO EXPRESS LLC., a California Limited	)	File No.: 22A01591
Liability Company, TAN TRAN, individually,	)	
and d/b/a TRIGO EXPRESS LLC., ABC	)	
CORPORATION,	)	
	)	
Defendants.	)	

**ANSWER AND DEFENSES OF DEFENDANTS TRIGO EXPRESS LLC AND TAN  
TRAN TO PLAINTIFF'S COMPLAINT**

COME NOW, Defendants Trigo Express, LLC and Tan Tran and hereby file their Answer and Defenses to Plaintiff's Complaint, showing the Court as follows:

**FIRST DEFENSE**

Plaintiff's Complaint fails to state a claim upon which relief can be granted.

**SECOND DEFENSE**

Defendants are not liable to Plaintiff because they owed no duty, and in the alternative, breached no duty owed to Plaintiff, regarding the occurrence giving rise to Plaintiff's Complaint.

**THIRD DEFENSE**

To the extent as may be shown by evidence, Defendants assert the defense of contributory/comparative negligence, failure to avoid consequences, failure to exercise ordinary care, and failure to mitigate damages.

**FOURTH DEFENSE**

Defendants reserve the right to plead and prove such other defenses as may become known to them during the course of their investigation and discovery.

**FIFTH DEFENSE**

Defendants answer the numbered paragraphs of Plaintiff's Complaint as follows:

**PARTIES AND JURISDICTION**

1.

Defendants are without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of Plaintiff's Complaint and, therefore, can neither admit nor deny same.

2.

Defendants admit that, at the time of the incident, Defendant Trigo Express ("Trigo Express") was a California limited liability corporation with its principal office located at 9689 Carnation Avenue, Fountain Valley, CA 92708. Defendants deny the remaining allegations contained in this paragraph of Plaintiff's Complaint.

3.

Defendants admit the allegations contained in this paragraph of Plaintiff's Complaint.

4.

Defendants admit the allegations contained in this paragraph of Plaintiff's Complaint.

5.

Defendants admit that Defendant Tan Tran ("Defendant Tran") is a non-resident of Georgia and subject to the jurisdiction of this Court. Defendants deny as pled the remaining allegations contained in this paragraph of Plaintiff's Complaint.

6.

Defendants admit that Defendant Tran can be served at his residence, which is 9689 Carnation Avenue, Fountain Valley, CA 92708. Defendants deny as pled the remaining allegations contained in this paragraph of Plaintiff's Complaint.

7.

Defendants admit the allegations contained in this paragraph of Plaintiff's Complaint.

8.

Defendants are without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of Plaintiff's Complaint and, therefore, can neither admit nor deny same.

9.

Defendants are without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of Plaintiff's Complaint and, therefore, can neither admit nor deny same.

10.

Defendants are without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of Plaintiff's Complaint and, therefore, can neither admit nor deny same.

**FACTS AND CIRCUMSTANCES SURROUNDING COLLISION**

11.

Defendants admit the allegations contained in this paragraph of Plaintiff's Complaint.

12.

Defendants admit the allegations contained in this paragraph of Plaintiff's Complaint.

13.

Defendants admits that Trigo Express owned the tractor-trailer at issue and that Defendant Tran was driving on Trigo Express' behalf at the time of the incident. Defendants deny the remaining allegations contained in this paragraph of Plaintiff's Complaint.

14.

Defendants admit the allegations contained in this paragraph of Plaintiff's Complaint.

15.

Defendants denies the allegations contained in this paragraph of Plaintiff's Complaint.

16.

Defendants admits that Trigo Express owned the tractor-trailer that Defendant Tran was operating. Defendants deny the remaining allegations contained in this paragraph of Plaintiff's Complaint.

17.

Defendants admit that Defendant Tran was a member of Trigo Express. Defendants deny as pled the remaining allegations contained in this paragraph of Plaintiff's Complaint.

18.

Defendants admits that Defendant Tran was operating the tractor trailer at issue on Trigo Express' behalf at the time of the incident. Defendants deny the remaining allegations contained in this paragraph of Plaintiff's Complaint.

19.

Defendants admit that Defendant Tran was cited for improper lane change. Defendants deny as pled the remaining allegations contained in this paragraph of Plaintiff's Complaint.

20.

Defendants are without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of Plaintiff's Complaint and, therefore, can neither admit nor deny same.

**NEGLIGENCE**

21.

Defendants admit that Defendant Tran had a duty to comply with Georgia law. Defendants deny as pled the remaining allegations contained in this paragraph of Plaintiff's Complaint.

22.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

23.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

24.

Defendants admit that Defendant Tran had a duty to comply with Georgia law. Defendants deny as pled the remaining allegations contained in this paragraph of Plaintiff's Complaint.

25.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

26.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

27.

Defendants admit that Defendant Tran had a duty to comply with Georgia law. Defendants deny as pled the remaining allegations contained in this paragraph of Plaintiff's Complaint.

28.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

29.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

30.

Defendants admit that Defendant Tran had a duty to comply with Georgia law. Defendants deny as pled the remaining allegations contained in this paragraph of Plaintiff's Complaint.

31.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

32.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

33.

Defendants admits that Trigo Express may be responsible for the negligent acts or omissions of Defendant Tran. Defendants deny as pled the remaining allegations contained in this paragraph of Plaintiff's Complaint.

34.

Defendants deny as pled the allegations contained in this paragraph of Plaintiff's Complaint.

35.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

36.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

37.

Defendants deny as pled the allegations contained in this paragraph of Plaintiff's Complaint.

38.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

39.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

40.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

41.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

42.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

43.

Defendants deny as pled the allegations contained in this paragraph of Plaintiff's Complaint.

### **DAMAGES**

44.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

45.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

46.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

47.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

48.

Defendants are without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of Plaintiff's Complaint and, therefore, can neither admit nor deny same.

49.

Defendants deny the allegations contained in this paragraph of Plaintiff's Complaint.

50.

Any allegations contained in Plaintiff's Complaint not herein responded to by number, including Plaintiff's ad damnum/prayer for relief clause, and its subparts, are hereby denied.

WHEREFORE, having fully answered, Defendants pray that Plaintiff's Complaint be dismissed with costs of this action cast against Plaintiff.

This 6th day of June, 2022.

Respectfully submitted,

By: /s/ Jessica F. Hubbartt  
JESSICA F. HUBBARTT  
Georgia State Bar No. 932295  
*Attorney for Defendants Trigo Express  
LLC and Tan Tran*

Copeland, Stair, Valz & Lovell, LLP  
191 Peachtree Street, N.E., Suite 3600  
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CORPORATION,

Defendants.

Civil Action  
File No.: 22A01591

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the within and foregoing **ANSWER  
AND DEFENSES OF DEFENDANTS TRIGO EXPRESS LLC AND TAN TRAN TO  
PLAINTIFF'S COMPLAINT** upon all parties to this matter via the Court's electronic filing system, which will automatically e-mail a copy to counsel of record addressed as follows:

Michael J. Ivan  
P.O. Box 682765  
Marietta, GA 30068  
[mivanlaw@yahoo.com](mailto:mivanlaw@yahoo.com)

This 6th day of June, 2022.

Respectfully submitted,

By: /s/ Jessica F. Hubbartt  
JESSICA F. HUBBARTT  
Georgia State Bar No. 932295  
*Attorney for Defendants Trigo Express  
LLC and Tan Tran*

Copeland, Stair, Valz & Lovell, LLP  
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**DEFENDANTS' DEMAND FOR JURY PANEL OF TWELVE**

COME NOW Defendants Trigo Express, LLC and Tan Tran, by and through their attorneys, and demand in writing prior to the commencement of the trial term that the above-styled case be tried by a jury of twelve, pursuant to O.C.G.A. § 15-12-122.

This 6th day of June, 2022.

Respectfully submitted,

COPELAND, STAIR, VALZ & LOVELL, LLP

/s/ Jessica F. Hubbartt

JESSICA F. HUBBARTT

State Bar No.: 932295

[jhubbartt@csvl.law](mailto:jhubbartt@csvl.law)

*Attorney for Defendants Trigo Express LLC and  
Tan Tran*

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the within and foregoing  
**DEFENDANTS' DEMAND FOR JURY PANEL OF TWELVE** upon all parties to this matter  
via the Court's e-filing system, which will automatically email a copy to counsel of record as  
follows:

Michael J. Ivan  
P.O. Box 682765  
Marietta, GA 30068  
[mivanlaw@yahoo.com](mailto:mivanlaw@yahoo.com)

This 6th day of June, 2022.

Respectfully submitted,

By: /s/ Jessica F. Hubbartt  
JESSICA F. HUBBARTT  
Georgia State Bar No. 932295  
*Attorney for Defendants Trigo Express  
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